

Appln No. 09/997,264
Amdt date November 17, 2003
Reply to Office action of July 15, 2003

REMARKS/ARGUMENTS

Claims 1-10 are pending in this application, of which claim 1 is independent. Claims 1,2, 7 and 8 have been amended. The amendments add no new matter and find full support in the application as originally filed. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration and a timely indication of allowance.

Specification

The Examiner has objected to the specification, stating that the specification should include section headings. The specification has been amended to include section headings as suggested by the Examiner. Accordingly, Applicant respectfully requests that the objection to the specification be withdrawn.

Rejections Under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 1-19 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 1, 2, 7 and 8 have been amended to obviate the Examiner's rejections. Accordingly, Applicant respectfully requests that the rejection of claims 1-10 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over GB 1593738 (GB '783).

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Applicant respectfully traverses this rejection. Claim 1 is directed to an installation for a circulation of part-carrying pallets, comprising "a support frame for supporting modules for circulation of the pallets, in which said support frame comprises "at least one vertical frame arrangement formed by a rigid mecano-welded structure from standard profile members." The mecano-welded structure of the vertical frame arrangement provides a rigid structure that provides a high level of resistance to vibrations and the like due to the high speed and high level of acceleration of the pallets supported thereby.

The Examiner contends that GB '783 discloses "a support frame for supporting modules for circulation of the pallets, the support frame comprises at least one vertical frame arrangement formed by a rigid mecano-welded structure from standard profile members" (Office action, page 4, paragraph 3.) With respect to figure 19 referred to be the Examiner, the installation of GB '783 includes feet 301, 302, and 303, which support longitudinal beams 381 and 382 (figure 13), which in turn support the stations of the installation. However, nowhere does GB '783 disclose, teach or suggest that its feet 301, 302 and/or 303 are "formed by a rigid mecano-welded structure from standard profile members" as recited in claim 1. As such, the feet of GB '783 are not as rigid as the claimed vertical frame arrangement.

Claim 1 also recites "boxes each formed by a mecano-welded structure from standard profile members and capable of being removably fixed on respective sides of said vertical frame arrangement." Again, the mecano-welded structure of the boxes provides rigid structures that provides a high level of resistance to vibrations and the like due to the high speed and high level of

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acceleration of the pallets supported thereby. The Examiner contends that it is "obvious to of the ordinary skill in the art to utilize boxes for carrying workpieces instead of flat pallets which is well known in the art" (Office action, page 4, paragraph 3.) However, even it is obvious to utilize boxes for carrying workpieces as suggested by the Examiner, the Examiner does not contend and nowhere does GB '783 disclose, teach or suggest that such a box is "formed by a mecano-welded structure from standard profile members" as recited in claim 1.

Claim 1 also recites that "each of said boxes comprises an upper surfaced portion capable of receiving at least one module and a lower portion provided with adjustable feet for adjusting a horizontal positioning of said upper surfaced portion." Thus, it is the claimed boxes, and not the claimed vertical frame arrangement that is mounted to the adjustable feet. By contrast the feet 301, 302 and 303 of GB '783 and not the longitudinal beams 381 and 382 of GB '783 are mounted to based 304, 305 and 306 having pads 307 of adjustable height. Thus GB '783 does not disclose, teach or suggest boxes having " a lower portion provided with adjustable feet for adjusting a horizontal positioning of said upper surfaced portion" as recited in claim 1. As such, for any one of the above reasons, GB '783 does not render claim 1 obvious.

Claims 2-10 depend from claim 1. Claim 1 is now believed to be in condition for allowance over GB '783. As such, Applicant submits that claims 2-10 are also allowable over GB '783 as being dependent from an allowable base claim and for the additional limitations they contain therein.

For example, claim 2 recites that the "standard profile members of said vertical frame arrangement and said standard profile members of said boxes are commercially available profile members of

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steel of type NIP, wherein NIP stands for Normalized I Profile." Nowhere does GB '783 disclose, teach or suggest that its legs 301, 302, and 303 and/or its longitudinal beams 381 and 382 are formed from "profile members of steel of type NIP, wherein NIP stands for Normalized I Profile" as recited in claim 2. In addition, although such profile members are common in the building constructions, nowhere does the prior art of record disclose, teach or suggest the use of such profile members in the industry relevant to the claimed invention. As such, for this additional reason GB '783 does not render claim 2 obvious.

✓ Claim 3 recites that the "vertical frame arrangement comprises a lower horizontal profile member, an upper horizontal profile member, an intermediate horizontal profile member and two vertical profile members connected to the respective ends of said horizontal profile members." GB '783 merely discloses two parallel longitudinal supports 381 and 382. Nowhere does GB '783 disclose, teach or suggest "a lower horizontal profile member, an upper horizontal profile member, an intermediate horizontal profile member" as recited in claim 3. As such, for this additional reason GB '783 does not render claim 3 obvious. Accordingly, Applicant respectfully requests that the rejection of claims 1-10 over GB '783 under 35 U.S.C. § 103(a) be withdrawn.

In view of the above amendments and remarks, Applicant respectfully submits that claims 1-10 are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to

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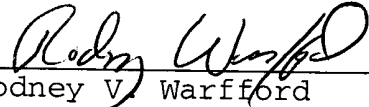
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contact the undersigned at the number indicated.

Respectfully submitted,

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